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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant:	Kenneth S. Knapton III	§	Group Art Unit:	2762
		§		
Serial No.:	09/089,834	§	Examiner:	C. Das
		§		
Filed:	June 3, 1998	§	Atty. Dkt. No.:	ITL.0033US
		§		(P5395)
For:	Binary Compatible Software Objects	§		
		§	Appeal No.	2000-2227

Commissioner for Patents  
Board of Patent Appeals and Interferences  
Washington, D.C. 20231

**RESPONSE TO ORDER PURSUANT TO 37 C.F.R. § 1.14(g)**

Dear Sir:

The Applicant objects to publication and contends that the decision as a whole should not be published. In particular, the decision discloses extensive confidential information. This objection applies to both the decision on the request for reconsideration and the decision on appeal. Since this rejection was affirmed in part, the application is not published and is not available for public view.

The decision identifies an employee of the assignee and would enable persons to locate and contact him to attempt to find additional information. The fact that Mr. Knapton has an application that has not been allowed is not publicly known at this time. Moreover, it provides numerous details about the status of the application. Since Mr. Knapton no longer works for the

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Date of Deposit: November 21, 2002  
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, DC, 20231.  
*Cynthia L. Hayden*  
Cynthia L. Hayden

assignee, this information could provide a competitor with information about the status of this application.

The entire background of the decision provides the substance of the invention and, therefore, should not be published. For example, the first paragraph of the background tells what the invention is about. The second paragraph does the same. The third paragraph provides information about the claim. The next paragraph provides information about the status of the application.

Similarly, the first paragraph of the opinion gives status about the application. The entire substance of the material under the rejection of claims 1-5 and 12-17 provides the status of the application and provides additional details about the application. But for the publishing of the appeal, the public would not be apprised of the status of the application and, therefore, the decision should not be published.

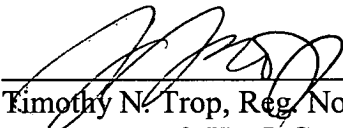
Similarly, the discussion of the rejection of 6-8 provides details about the status of the application. The second paragraph thereunder provides information that suggests the nature of the invention. The third paragraph under section 2 may be published. The fourth paragraph provides details about the claimed invention that is considered confidential. The next paragraph can be published. The following paragraph beginning "Here, we find that Christensen uses a different GUID for each of its objects." goes on to suggest the claimed invention and, therefore, should not be published. The following paragraph beginning with the word second, further provides information about the invention and should not be published. The next paragraph provides claim limitations and should not be published. The following paragraph interprets Christensen with respect to the claimed invention and further provides details of the claimed

invention and should not be published. The final paragraph under Conclusion provides information about the status of the application.

Therefore, the Applicant specifically requests that the decisions not be published pursuant to subparagraph 2 of 37 C.F.R. § 1.14(g)(2). Furthermore, under subparagraph 1, it is not in any way clear that the decision involves an interpretation of patent laws and regulations that would be of precedential value. It is noted that each of the decisions indicate that they were not written for publication and, therefore, it is not seen why it is now suggested that these materials should be published.

Respectfully submitted,

Date: November 21, 2002



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